



Paper No. 8

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OFFICE OF PETITIONS

ON PETITION

In re Application of
David O. Chenault
Application No. 09/829,760
Filed: April 10, 2001
Attorney Docket No. 005788.00002

This is a decision on the petition under 37 CFR 1.137(b), filed February 2, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed June 3, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight September 3, 2003.

In response to the non-final Office action, petitioner submitted with the instant petition \$55 for the unintentional petition to revive fee, and \$160 for claim fees. However, effective October 1, 2003, the small entity unintentional petition to revive fee required is \$665. Therefore, per authorization given in the instant petition \$610 (665-55) has been charged to petitioner's deposit account.

Since the requirements for a grantable petition have been met, the petition is **GRANTED**.

The application file is being forwarded to Technology Center 3700 for further review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy